

REMARKS

Claims 1, 2, 5, 6, 7, 8 and 9 were amended in the previous amendment. Claims 10-18 are added, and correspond to the original claims.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. **The Rejection of Claims 1-9 under 35 U.S.C. 102 Over U.S. Pat. No. 5,385,959**

Original claims 1-9 (now corresponding to new claims 10-18) are rejected under 35 U.S.C. 102 as anticipated by U.S. Pat. No. 5,385,959.

One aspect of the present invention is that the synthetic polymers are used to form a stable vesicular structure, such as, for protection of active ingredients in a hostile environment. The polymers referenced in U.S. Pat. No. 5,385,959, however, are disclosed for use in a completely different encapsulation system, namely, for gels or emulsion particles. See U.S. Patent No. 5,385,959 at col. 3, lines 55 to 68. Accordingly, U.S. Patent No. 5,385,959 does not disclose a compound encapsulated in a vesicle, wherein the vesicle comprises at least 50% of a synthetic polymer as a vesicle forming agent.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 102. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. **The Rejection of Claims 1-9 under 35 U.S.C. 102 Over EP 0653485**

Original claims 1-9 (now corresponding to new claims 10-18) are rejected under 35 U.S.C. 102 as anticipated by EP 0 653 485.

As discussed in regard to the rejection over U.S. Patent No. 5,385,959, one of the aspects of the present invention is that the synthetic polymers are used to form a stable vesicular structure for protection of active ingredients in a hostile environment. The polymers referenced in EP 0 653 485 are disclosed for use in a completely different encapsulation system, namely, for emulsion particles. See EP 0 653 485 at page 3, lines 15-36. EP 0 653 485 does not disclose a compound encapsulated in a vesicle, wherein the vesicle comprises at least 50% of a synthetic polymer as a vesicle forming agent.

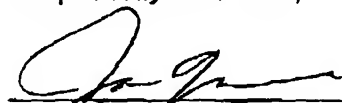
For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 102. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

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